



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/208,998	12/11/98	GANESAN	R 33500-029

LMC1/0823

LALOS AND KEEGAN
1146 NINETEENTH STREET N W
FIFTH FLOOR
WASHINGTON DC 20036-3703

EXAMINER

RETTA, Y

ART UNIT

PAPER NUMBER

2764

DATE MAILED:

08/23/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/208,998

Applicant(s)

Ganesan et al.

Examiner

Yehdega Retta

Group Art Unit

2764



☒ Responsive to communication(s) filed on Jun 22, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-23 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-23 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2764

DETAILED ACTION

Response to Amendment

1. This office action is in response to amendment filed 6/22/00.

Response to Arguments

2. Applicant's arguments with respect to claim 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartoli et al. U.S. Patent No. 6047268 in view of Elgamal U.S. Patent No. 6029150.
5. Regarding claims 1-4 and 9-12, Bartoli et al. (Bartoli) teaches seller receiving information identifying product to be purchased from buyer, purchase price to be paid by transfer

Art Unit: 2764

of fund; transmitting to financial institute device, at which the purchaser account is maintained, authorization to pay seller; determining if the fund in the purchaser account is sufficient; transmitting over the network, from the second network device to the first device, an authorization of the financial institute for the seller to proceed with the delivery of the product see fig. 2A and 2B and col. 4 lines 37-60 and col. 7 line 5 to col. 9 line 64). Bartoli failed to teach the identity of the purchaser account being unknown to the seller, it is disclosed in Elgamal (see col. 22 lines 55-65). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Bartoli's invention by adding Elgamal's security features in order to protect customer's account number from attacker that may obtain access to Merchant's system as suggested by Elgamal.

6. Regarding claim 5, Bartoli teaches third information transmitted responsive to the selection of the payment of the price by the transfer of the funds (see col. 4 lines 43-54 and col. 8 line 1-6).

7. Regarding claims 6 and 15, Bartoli teaches automatically establishing a hyperlink to the second network device for transmission of the third information after the selection of payment of the price by the transfer of the funds (see col. 8 lines 37-44).

8. Regarding claim 7 and 16, Bartoli teaches transmitting from the first device to the second device, a notice of delivery; and directing the transfer of the funds to the seller responsive to receipt of the notice of delivery (see col. 7 lines 57-61).

Art Unit: 2764

9. Regarding claims 8 and 17, Bartoli teaches performing in real time and the Internet (see col. 4 lines 3-15).
10. Regarding claim 13, Bartoli teaches the third device including an input device for receiving the first and second input (col. 8 lines 18-40).
11. Claim 14 is rejected as stated above in claim 1.
12. Regarding claims 18 and 21, Bartoli et al. (Bartoli) teaches computer programing stored on a computer readable storage medium; generating a signal to establish first link with a first seller; receive from the seller information identifying plurality of products and prices associated with them and plurality of payment options; receiving first input from purchaser selecting a product; automatically generating a signal to establish a second link with financial institute with which the account is maintained; transmitting to the first network station second information identifying the selected product and identity of the purchaser; transmitting to the second station information identifying the selected product, the purchase price and identity of the purchaser; receiving from the second station a request to approve payment of the purchase price; transmitting to a second station purchaser approval of the payment; receiving and displaying an account statement indicating that the funds have been transferred from the account by the financial institute to the seller (see fig. 2A and 2B and col. 4 lines 37-60 and col. 7 line 5 to col. 9 line 64). Bartoli failed to teach the identity of the purchaser account being unknown to the seller, it is disclosed in Elgamal (see col. 22 lines 55-65). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Bartoli's invention by

Art Unit: 2764

adding Elgamal's security features in order to protect customer's account number from attacher that may obtain access to Merchant's system as suggested by Elgamal.

13. Regarding claim 19, Bartoli teaches Internet communication link and second network communications link being established by a hyperlink (see col. 8 lines 37-44).

14. Regarding claims 20 and 23, Bartoli teaches first network communications link is a relatively unsecure and the second being relatively secure (see col. 8 lines 18-44).

15. Regarding claim 22, Bartoli teaches the network being the Internet (see fig. 1).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Slater U.S. Patent No. 6098053, system and method for performing an electronic financial transaction.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (703) 305-0436. The examiner can normally be reached on Monday-Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

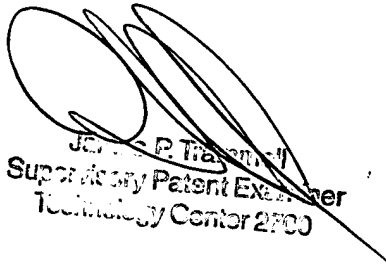
or:

Art Unit: 2764

(703) 308-5397, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.


J. R. T. [unclear]
Supervisory Patent Examiner
Technology Center 2700

Examiner
Yehdega Retta
Art Unit 2764
August 21, 2000